

Title:

Sps. Jesus and Aida Castro v. Sps. Felimon and Lorna Esperanza

Facts:

Chronology of Events:

1. ****Property Ownership and Configuration**:**

- Spouses Felimon and Lorna Esperanza owned Lot No. 2759-C-2-A, bordered by a dry creek, among other properties.
- Spouses Jesus and Aida Castro owned multiple surrounding lots, including Lot Nos. 2759-C-2-B-7, 2759-C-2-B-5, and 2759-C-2-B-6.
- A "Foot Path" (Lot No. 2759-C-2-B-12 - 262 sq. meters) provided access to the highway from various lots, including respondents' property.

2. ****Closure of the Foot Path**** (May 1996):

- Petitioners constructed an interlinked wire fence blocking access to the footpath.
- Respondents and neighboring lot owners could no longer access the highway through the footpath.

3. ****Attempts at Resolution**:**

- Respondents demanded the removal of the fence.
- The barangay captain made unsuccessful verbal and written demands to reopen the path.

4. ****Inconvenience**:**

- Closure forced respondents to wade through a creek for access.

Procedural Posture:

1. ****Trial Court**:**

- Respondents filed a petition for mandatory injunction with damages on January 20, 1997.
- Trial court dismissed the petition on April 18, 2018.
- Found that respondents had an alternative access via the dry creek.
- Concluded footpath was a voluntary easement under the control of its owners, not a compulsory right of way.

2. ****Court of Appeals**:**

- Respondents appealed the trial court's decision.
- On July 12, 2019, the Court of Appeals ruled that the footpath is a recognized easement and that petitioners did not own it, thus had no right to block it.
- Directed petitioners to remove the fence and awarded P50,000.00 attorney's fees to respondents.

3. **Supreme Court**:

- Petitioners sought further review, challenging the decisions.

Issues:

1. **Right to Use the Foot Path**:

- Whether respondents have the right to use the foot path as ingress and egress.

2. **Standing to Seek Removal**:

- Whether respondents have the standing to seek the removal of obstacles (i.e., the constructed fence).

3. **Nature of Easement**:

- Whether the footpath constitutes a legal (compulsory) or a voluntary easement.

4. **Award of Attorney's Fees**:

- Appropriateness of granting attorney's fees to respondents.

Court's Decision:

1. **Right to Use the Foot Path**:

- The footpath is deemed an easement, voluntarily established, and covered by TCT No. T-7735.
- It was retained by the estate of Nestor Reluya and had not been withdrawn or altered by his heirs.
- The footpath remains a passageway benefiting respondents and other neighboring owners.

2. **Standing to Seek Removal**:

- Respondents have the right to enforce the easement and seek the removal of the constructed fence.
- Petitioners could not claim exclusive control over the foot path nor block it, as they were not its owners.

3. **Nature of Easement**:

- Recognized as a voluntary easement not extinguishable by the establishment of an alternative route (the dry creek converted to a gravel road).

4. **Attorney's Fees**:

- The award of attorney's fees requires proof of bad faith, which was not sufficiently demonstrated.
- Court removed the award of P50,000.00 attorney's fees.

Doctrine:

****Easement Doctrine****:

- An easement can be compulsory (legal) or voluntary.
- Voluntary easements persist regardless of the establishment of alternative outlets.
- Owners of properties surrounding easement cannot arbitrarily close the access if the title or agreement still recognizes it.

****Injunction Principles****:

- A mandatory injunction requires a clear legal right.
- Used in instances where preserving status quo or rights is required, often with the performance of a particular act.

****Attorney's Fees****:

- Justified only with clear evidence of bad faith or malice by the party against whom fees are sought.

Class Notes:

1. ****Easements****:

- Real rights on another's property.
- Formation by law or owner's will (legal vs. voluntary).
- Legal easements can be extinguished by the establishment of an adequate alternative route.

2. ****Mandatory Injunction****:

- Compels performance of an act to correct a past wrong.
- Issued with caution, requiring a clear, undisputed legal right.

3. ****Attorney's Fees****:

- Awarded upon showing of bad faith in litigation conduct.
- Not a premium for the right to litigate without clear legal justification.

4. ****Statutory Reference****:

- Civil Code provisions on Property Rights and Easement.
- Rules on Injunctions under the Rules of Court.

Historical Background:

- Highlighted property dispute exacerbated by urban development.
- Reflects evolving landscape and ownership structures in rural/residential areas.
- Demonstrates judicial balancing of property rights and communal access prerogatives.